



Reprinted
February 24, 2009

SENATE BILL No. 96

DIGEST OF SB 96 (Updated February 23, 2009 4:42 pm - DI 104)

Citations Affected: IC 25-1; IC 25-20.5; IC 25-23.6; IC 31-32; noncode.

Synopsis: Licenses for addiction counselors. Provides for a license for addiction counselors. Changes the name of the "social worker, marriage and family therapist, and mental health counselor board" to the "behavioral health board" and adds members. Requires addiction counselors and clinical addiction counselors to be licensed. Establishes requirements and procedures for an individual to be licensed as an addiction counselor or clinical addiction counselor. Makes conforming changes. (The introduced version of this bill was prepared by the commission on mental health.)

Effective: July 1, 2009.

Lawson C, Simpson

January 7, 2009, read first time and referred to Committee on Health and Provider Services.
February 19, 2009, amended, reported favorably — Do Pass.
February 23, 2009, read second time, amended, ordered engrossed.

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SB 96—LS 6101/DI 14+



First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 96

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-1-2-6, AS AMENDED BY P.L.3-2008,
2 SECTION 176, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section,
4 "license" includes all occupational and professional licenses,
5 registrations, permits, and certificates issued under the Indiana Code,
6 and "licensee" includes all occupational and professional licensees,
7 registrants, permittees, and certificate holders regulated under the
8 Indiana Code.
9 (b) This section applies to the following entities that regulate
10 occupations or professions under the Indiana Code:
11 (1) Indiana board of accountancy.
12 (2) Indiana grain buyers and warehouse licensing agency.
13 (3) Indiana auctioneer commission.
14 (4) Board of registration for architects and landscape architects.
15 (5) State board of barber examiners.
16 (6) State board of cosmetology examiners.
17 (7) Medical licensing board of Indiana.

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- 1 (8) Secretary of state.
- 2 (9) State board of dentistry.
- 3 (10) State board of funeral and cemetery service.
- 4 (11) Worker's compensation board of Indiana.
- 5 (12) Indiana state board of health facility administrators.
- 6 (13) Committee of hearing aid dealer examiners.
- 7 (14) Indiana state board of nursing.
- 8 (15) Indiana optometry board.
- 9 (16) Indiana board of pharmacy.
- 10 (17) Indiana plumbing commission.
- 11 (18) Board of podiatric medicine.
- 12 (19) Private investigator and security guard licensing board.
- 13 (20) State board of registration for professional engineers.
- 14 (21) Board of environmental health specialists.
- 15 (22) State psychology board.
- 16 (23) Indiana real estate commission.
- 17 (24) Speech-language pathology and audiology board.
- 18 (25) Department of natural resources.
- 19 (26) State boxing commission.
- 20 (27) Board of chiropractic examiners.
- 21 (28) Mining board.
- 22 (29) Indiana board of veterinary medical examiners.
- 23 (30) State department of health.
- 24 (31) Indiana physical therapy committee.
- 25 (32) Respiratory care committee.
- 26 (33) Occupational therapy committee.
- 27 (34) ~~Social worker, marriage and family therapist, and mental~~
- 28 ~~health counselor~~ **Behavioral health** board.
- 29 (35) Real estate appraiser licensure and certification board.
- 30 (36) State board of registration for land surveyors.
- 31 (37) Physician assistant committee.
- 32 (38) Indiana dietitians certification board.
- 33 (39) Indiana hypnotist committee.
- 34 (40) Attorney general (only for the regulation of athlete agents).
- 35 (41) Manufactured home installer licensing board.
- 36 (42) Home inspectors licensing board.
- 37 (43) State board of massage therapy.
- 38 (44) Any other occupational or professional agency created after
- 39 June 30, 1981.
- 40 (c) Notwithstanding any other law, the entities included in
- 41 subsection (b) shall send a notice of the upcoming expiration of a
- 42 license to each licensee at least sixty (60) days prior to the expiration

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of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 2. IC 25-1-4-0.3, AS AMENDED BY P.L.2-2008, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.3. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- (5) State board of barber examiners (IC 25-7-5-1).
- (6) State boxing commission (IC 25-9-1).
- (7) Board of chiropractic examiners (IC 25-10-1).
- (8) State board of cosmetology examiners (IC 25-8-3-1).
- (9) State board of dentistry (IC 25-14-1).
- (10) Indiana dietitians certification board (IC 25-14.5-2-1).
- (11) State board of registration for professional engineers (IC 25-31-1-3).
- (12) Board of environmental health specialists (IC 25-32-1).
- (13) State board of funeral and cemetery service (IC 25-15-9).
- (14) Indiana state board of health facility administrators (IC 25-19-1).
- (15) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- (16) Home inspectors licensing board (IC 25-20.2-3-1).
- (17) Indiana hypnotist committee (IC 25-20.5-1-7).
- (18) State board of registration for land surveyors (IC 25-21.5-2-1).
- (19) Manufactured home installer licensing board (IC 25-23.7).
- (20) Medical licensing board of Indiana (IC 25-22.5-2).
- (21) Indiana state board of nursing (IC 25-23-1).
- (22) Occupational therapy committee (IC 25-23.5).
- (23) Indiana optometry board (IC 25-24).
- (24) Indiana board of pharmacy (IC 25-26).
- (25) Indiana physical therapy committee (IC 25-27-1).
- (26) Physician assistant committee (IC 25-27.5).
- (27) Indiana plumbing commission (IC 25-28.5-1-3).
- (28) Board of podiatric medicine (IC 25-29-2-1).

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(29) Private investigator and security guard licensing board
(IC 25-30-1-5.2).

(30) State psychology board (IC 25-33).

(31) Indiana real estate commission (IC 25-34.1-2).

(32) Real estate appraiser licensure and certification board
(IC 25-34.1-8).

(33) Respiratory care committee (IC 25-34.5).

(34) ~~Social worker, marriage and family therapist, and mental
health counselor~~ **Behavioral health** board (IC 25-23.6).

(35) Speech-language pathology and audiology board
(IC 25-35.6-2).

(36) Indiana board of veterinary medical examiners
(IC 25-38.1-2).

SECTION 3. IC 25-1-5-3, AS AMENDED BY P.L.2-2008,
SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2009]: Sec. 3. (a) There is established the Indiana professional
licensing agency. The agency shall perform all administrative
functions, duties, and responsibilities assigned by law or rule to the
executive director, secretary, or other statutory administrator of the
following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dentistry (IC 25-14-1).

(3) Indiana state board of health facility administrators
(IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32).

(10) Speech-language pathology and audiology board
(IC 25-35.6-2).

(11) State psychology board (IC 25-33).

(12) Indiana board of veterinary medical examiners
(IC 25-38.1-2).

(13) Controlled substances advisory committee (IC 35-48-2-1).

(14) Committee of hearing aid dealer examiners (IC 25-20).

(15) Indiana physical therapy committee (IC 25-27).

(16) Respiratory care committee (IC 25-34.5).

(17) Occupational therapy committee (IC 25-23.5).

(18) ~~Social worker, marriage and family therapist, and mental
health counselor~~ **Behavioral health** board (IC 25-23.6).

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(19) Physician assistant committee (IC 25-27.5).

(20) Indiana athletic trainers board (IC 25-5.1-2-1).

(21) Indiana dietitians certification board (IC 25-14.5-2-1).

(22) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) Nothing in this chapter may be construed to give the agency policy making authority, which authority remains with each board.

SECTION 4. IC 25-1-5-10, AS AMENDED BY P.L.2-2008, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) As used in this section, "provider" means an individual licensed, certified, registered, or permitted by any of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dentistry (IC 25-14-1).

(3) Indiana state board of health facility administrators (IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32-1).

(10) Speech-language pathology and audiology board (IC 25-35.6-2).

(11) State psychology board (IC 25-33).

(12) Indiana board of veterinary medical examiners (IC 25-38.1-2).

(13) Indiana physical therapy committee (IC 25-27).

(14) Respiratory care committee (IC 25-34.5).

(15) Occupational therapy committee (IC 25-23.5).

(16) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health** board (IC 25-23.6).

(17) Physician assistant committee (IC 25-27.5).

(18) Indiana athletic trainers board (IC 25-5.1-2-1).

(19) Indiana dietitians certification board (IC 25-14.5-2-1).

(20) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) The agency shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

(1) The provider's name.

(2) The provider's license, certification, registration, or permit number.

(3) The provider's license, certification, registration, or permit

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type.

(4) The date the provider's license, certification, registration, or permit was issued.

(5) The date the provider's license, certification, registration, or permit expires.

(6) The current status of the provider's license, certification, registration, or permit.

(7) The provider's city and state of record.

(8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The agency shall make provider profiles available to the public.

(e) The computer gateway administered by the office of technology established by IC 4-13.1-2-1 shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.

(f) The agency may adopt rules under IC 4-22-2 to implement this section.

SECTION 5. IC 25-1-7-1, AS AMENDED BY P.L.3-2008, SECTION 178, AND AS AMENDED BY P.L.134-2008, SECTION 16, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State boxing commission (IC 25-9-1).

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- 1 (6) Board of chiropractic examiners (IC 25-10-1).
- 2 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 3 (8) State board of dentistry (IC 25-14-1).
- 4 (9) State board of funeral and cemetery service (IC 25-15-9).
- 5 (10) State board of registration for professional engineers
- 6 (IC 25-31-1-3).
- 7 (11) Indiana state board of health facility administrators
- 8 (IC 25-19-1).
- 9 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 10 (13) Indiana state board of nursing (IC 25-23-1).
- 11 (14) Indiana optometry board (IC 25-24).
- 12 (15) Indiana board of pharmacy (IC 25-26).
- 13 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 14 (17) Board of podiatric medicine (IC 25-29-2-1).
- 15 (18) Board of environmental health specialists (IC 25-32-1).
- 16 (19) State psychology board (IC 25-33).
- 17 (20) Speech-language pathology and audiology board
- 18 (IC 25-35.6-2).
- 19 (21) Indiana real estate commission (IC 25-34.1-2).
- 20 (22) Indiana board of veterinary medical examiners ~~(IC 25-5-1-1)~~
- 21 ~~(IC 25-38.1)~~.
- 22 (23) Department of natural resources for purposes of licensing
- 23 water well drillers under IC 25-39-3.
- 24 (24) Respiratory care committee (IC 25-34.5).
- 25 (25) Private investigator and security guard licensing board
- 26 (IC 25-30-1-5.2).
- 27 (26) Occupational therapy committee (IC 25-23.5).
- 28 (27) ~~Social worker, marriage and family therapist, and mental~~
- 29 ~~health counselor~~ **Behavioral health** board (IC 25-23.6).
- 30 (28) Real estate appraiser licensure and certification board
- 31 (IC 25-34.1-8).
- 32 (29) State board of registration for land surveyors
- 33 (IC 25-21.5-2-1).
- 34 (30) Physician assistant committee (IC 25-27.5).
- 35 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 36 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 37 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 38 (34) Indiana physical therapy committee (IC 25-27).
- 39 (35) Manufactured home installer licensing board (IC 25-23.7).
- 40 (36) Home inspectors licensing board (IC 25-20.2-3-1).
- 41 (37) State department of health, *for out-of-state mobile health*
- 42 *care entities.*

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(38) State board of massage therapy (IC 25-21.8-2-1).

(39) Any other occupational or professional agency created after June 30, 1981.

SECTION 6. IC 25-1-8-1, AS AMENDED BY P.L.3-2008, SECTION 179, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State boxing commission (IC 25-9-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dentistry (IC 25-14-1).

(9) State board of funeral and cemetery service (IC 25-15).

(10) State board of registration for professional engineers (IC 25-31-1-3).

(11) Indiana state board of health facility administrators (IC 25-19-1).

(12) Medical licensing board of Indiana (IC 25-22.5-2).

(13) Mining board (IC 22-10-1.5-2).

(14) Indiana state board of nursing (IC 25-23-1).

(15) Indiana optometry board (IC 25-24).

(16) Indiana board of pharmacy (IC 25-26).

(17) Indiana plumbing commission (IC 25-28.5-1-3).

(18) Board of environmental health specialists (IC 25-32-1).

(19) State psychology board (IC 25-33).

(20) Speech-language pathology and audiology board (IC 25-35.6-2).

(21) Indiana real estate commission (IC 25-34.1-2-1).

(22) Indiana board of veterinary medical examiners (IC 25-38.1-2-1).

(23) Department of insurance (IC 27-1).

(24) State police department (IC 10-11-2-4), for purposes of certifying polygraph examiners under IC 25-30-2.

(25) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.

(26) Private investigator and security guard licensing board (IC 25-30-1-5.2).

(27) Occupational therapy committee (IC 25-23.5-2-1).

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(28) ~~Social worker, marriage and family therapist, and mental health counselor~~ Behavioral health board (IC 25-23.6-2-1).

(29) Real estate appraiser licensure and certification board (IC 25-34.1-8).

(30) State board of registration for land surveyors (IC 25-21.5-2-1).

(31) Physician assistant committee (IC 25-27.5).

(32) Indiana athletic trainers board (IC 25-5.1-2-1).

(33) Board of podiatric medicine (IC 25-29-2-1).

(34) Indiana dietitians certification board (IC 25-14.5-2-1).

(35) Indiana physical therapy committee (IC 25-27).

(36) Manufactured home installer licensing board (IC 25-23.7).

(37) Home inspectors licensing board (IC 25-20.2-3-1).

(38) State board of massage therapy (IC 25-21.8-2-1).

(39) Any other occupational or professional agency created after June 30, 1981.

SECTION 7. IC 25-1-8-6, AS AMENDED BY P.L.105-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section, "board" means any of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana athletic trainers board (IC 25-5.1-2-1).

(4) Indiana auctioneer commission (IC 25-6.1-2-1).

(5) State board of barber examiners (IC 25-7-5-1).

(6) State boxing commission (IC 25-9-1).

(7) Board of chiropractic examiners (IC 25-10-1).

(8) State board of cosmetology examiners (IC 25-8-3-1).

(9) State board of dentistry (IC 25-14-1).

(10) Indiana dietitians certification board (IC 25-14.5-2-1).

(11) State board of registration for professional engineers (IC 25-31-1-3).

(12) Board of environmental health specialists (IC 25-32-1).

(13) State board of funeral and cemetery service (IC 25-15-9).

(14) Indiana state board of health facility administrators (IC 25-19-1).

(15) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).

(16) Home inspectors licensing board (IC 25-20.2-3-1).

(17) Indiana hypnotist committee (IC 25-20.5-1-7).

(18) State board of registration for land surveyors (IC 25-21.5-2-1).

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- (19) Manufactured home installer licensing board (IC 25-23.7).
- (20) Medical licensing board of Indiana (IC 25-22.5-2).
- (21) Indiana state board of nursing (IC 25-23-1).
- (22) Occupational therapy committee (IC 25-23.5).
- (23) Indiana optometry board (IC 25-24).
- (24) Indiana board of pharmacy (IC 25-26).
- (25) Indiana physical therapy committee (IC 25-27).
- (26) Physician assistant committee (IC 25-27.5).
- (27) Indiana plumbing commission (IC 25-28.5-1-3).
- (28) Board of podiatric medicine (IC 25-29-2-1).
- (29) Private investigator and security guard licensing board (IC 25-30-1-5.2).
- (30) State psychology board (IC 25-33).
- (31) Indiana real estate commission (IC 25-34.1-2).
- (32) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (33) Respiratory care committee (IC 25-34.5).
- (34) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health** board (IC 25-23.6).
- (35) Speech-language pathology and audiology board (IC 25-35.6-2).
- (36) Indiana board of veterinary medical examiners (IC 25-38.1).
- (37) State board of massage therapy (IC 25-21.8-2-1).

(b) This section does not apply to a license, certificate, or registration that has been revoked or suspended.

(c) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, the holder of a license, certificate, or registration that was issued by the board that is three (3) years or less delinquent must be reinstated upon meeting the following requirements:

- (1) Submission of the holder's completed renewal application.
- (2) Payment of the current renewal fee established by the board under section 2 of this chapter.
- (3) Payment of a reinstatement fee established by the Indiana professional licensing agency.
- (4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:
 - (A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or
 - (B) shall, if the holder has not complied with the continuing

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education requirements, meet any requirements imposed under
IC 25-1-4-5 and IC 25-1-4-6.

(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:

- (1) Submission of the holder's completed renewal application.
- (2) Payment of the current renewal fee established by the board under section 2 of this chapter.
- (3) Payment of a reinstatement fee equal to the current initial application fee.
- (4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:
 - (A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or
 - (B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.
- (5) Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved.
- (6) Any other requirement that is provided for in statute or rule that is not related to fees.

SECTION 8. IC 25-1-9-1, AS AMENDED BY P.L.2-2008, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board

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(IC 25-35.6-2).

(11) State psychology board (IC 25-33).

(12) Indiana board of veterinary medical examiners (IC 25-38.1-2).

(13) Indiana physical therapy committee (IC 25-27-1).

(14) Respiratory care committee (IC 25-34.5).

(15) Occupational therapy committee (IC 25-23.5).

~~(16) Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health** board (IC 25-23.6).

(17) Physician assistant committee (IC 25-27.5).

(18) Indiana athletic trainers board (IC 25-5.1-2-1).

(19) Indiana dietitians certification board (IC 25-14.5-2-1).

(20) Indiana hypnotist committee (IC 25-20.5-1-7).

SECTION 9. IC 25-20.5-1-1, AS AMENDED BY P.L.134-2008, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This chapter does not apply to the following if the person has received training in the performance of hypnotism:

(1) A licensed dentist practicing dentistry under IC 25-14.

(2) A licensed physician practicing medicine under IC 25-22.5.

(3) A licensed osteopath practicing medicine under IC 25-22.5.

(4) A licensed psychologist practicing psychology under IC 25-33.

(5) A licensed social worker or clinical social worker practicing social work or clinical social work under IC 25-23.6.

(6) A registered nurse licensed under IC 25-23.

(7) A licensed marriage and family therapist practicing marriage and family therapy under IC 25-23.6.

(8) A licensed mental health counselor practicing mental health counseling under IC 25-23.6.

(9) A licensed addiction counselor or a licensed addiction therapist under IC 25-23.6.

~~(9)~~ **(10)** An individual who teaches Lamaze prenatal and delivery relaxation techniques to pregnant women.

~~(10)~~ **(11)** A law enforcement officer who:

(A) is trained in hypnotism; and

(B) uses hypnosis only for law enforcement purposes.

~~(11)~~ **(12)** A licensed chiropractor practicing the science of chiropractic under IC 25-10.

~~(12)~~ **(13)** An individual who performs hypnotism exclusively for entertainment or amusement purposes at a theater, night club, or other place that offers entertainment to the public for consideration or promotional purposes.

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SECTION 10. IC 25-23.6-1-1.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.2. "Addiction counseling experience" refers to a time that consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.**

SECTION 11. IC 25-23.6-1-1.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.3. "Addiction therapy experience" refers to a time during which an applicant provides clinical services, including evaluation and treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.**

SECTION 12. IC 25-23.6-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. "Board" refers to the ~~social worker, marriage and family therapist, and mental health counselor~~ **behavioral health board.**

SECTION 13. IC 25-23.6-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. "Clinical social worker" means an individual who is licensed under ~~this article.~~ **IC 25-23.6-5.**

SECTION 14. IC 25-23.6-1-3.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3.8. Except as provided in IC 25-23.6-7-5, ~~as used in this chapter,~~ "counselor" refers to a social worker, ~~a clinical social worker, a marriage and family therapist, or a mental health counselor,~~ **an addiction counselor, or a clinical addiction counselor** who is licensed under this article.

SECTION 15. IC 25-23.6-1-4.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 4.3. "Licensed addiction counselor" means an individual who is licensed as an addiction counselor under IC 25-23.6-10.5.**

SECTION 16. IC 25-23.6-1-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 4.5. "Licensed clinical addiction counselor" means an individual who is licensed as a clinical addiction counselor under IC 25-23.6-10.5.**

SECTION 17. IC 25-23.6-1-4.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.8. "Licensed social worker" means an individual who is licensed under ~~this article.~~ **IC 25-23.6-5.**

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1 SECTION 18. IC 25-23.6-1-5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. "Marriage and family
 3 therapist" means an individual who is licensed under ~~this article~~.
 4 **IC 25-23.6-8.**

5 SECTION 19. IC 25-23.6-1-5.5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5.5. "Mental health
 7 counselor" means an individual licensed under ~~this article~~.
 8 **IC 25-23.6-8.5.**

9 SECTION 20. IC 25-23.6-1-5.7 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2009]: Sec. 5.7. (a) "Practice of addiction
 12 counseling" means professional services delivered by a licensed
 13 addiction counselor that are designed to change addictive behavior
 14 and that involve specialized knowledge and skill related to
 15 addictions and addictive behaviors, including understanding
 16 addiction, knowledge of the treatment process, application to
 17 practice, and professional readiness. The term includes:

- 18 (1) gathering information through structured interview
- 19 screens through routine protocols;
- 20 (2) reviewing assessment findings to assist in the development
- 21 of a plan individualized for treatment services and to
- 22 coordinate services;
- 23 (3) referring for assessment, diagnosis, evaluation, and mental
- 24 health therapy;
- 25 (4) providing client and family education related to
- 26 addictions;
- 27 (5) providing information on social networks and community
- 28 systems for referrals and discharge planning;
- 29 (6) participating in multidisciplinary treatment team meetings
- 30 or consulting with clinical addiction professionals;
- 31 (7) counseling through individual and group counseling, as
- 32 well as group and family education, to treat addiction and
- 33 substance abuse in a variety of settings, including:
- 34 (A) mental and physical health facilities;
- 35 (B) child and family service agencies; and
- 36 (C) private practice; and
- 37 (8) maintaining the highest level of professionalism and
- 38 ethical responsibility.

39 (b) The term does not include the use of psychotherapy or
 40 diagnosis (as defined in IC 25-22.5-1-1.1(c) or as defined as the
 41 practice of psychology under IC 25-33-1-2(a)).

42 SECTION 21. IC 25-23.6-1-5.9 IS ADDED TO THE INDIANA

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CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2009]: Sec. 5.9. (a) "Practice of addiction
 therapy" means professional services delivered by a licensed
 addiction therapist that are designed to change addictive behavior
 and that involve specialized knowledge and skill related to
 addictions and addictive behaviors, including understanding
 addiction, knowledge of the treatment process, application to
 practice, and professional readiness. The term includes:

(1) gathering information through structured interview
 screens using routine protocols and standardized clinical
 instruments;

(2) using appraisal instruments as an aid in individualized
 treatment planning that the clinical addiction therapist is
 qualified to employ because of:

(A) education;

(B) training; and

(C) experience;

(3) providing psychosocial evaluations using accepted
 classifications, including classifications from the American
 Psychiatric Association's Diagnostic and Statistical Manual of
 Mental Disorders, as amended and supplemented, to the
 extent of the licensed addiction therapist's education, training,
 experience, and scope of practice as established by this article;

(4) reviewing assessment findings to:

(A) develop a plan for individualized addiction treatment;

(B) coordinate services; and

(C) provide subsequent assessment updates;

(5) using counseling and psychotherapeutic techniques
 through individual, group, and family counseling to treat
 addiction and other substance related problems and
 conditions in a variety of settings, including:

(A) mental and physical health facilities;

(B) child and family service agencies; and

(C) private practice;

(6) providing client and family education related to
 addictions;

(7) providing information on social networks and community
 systems for referrals and discharge planning;

(8) participating in multidisciplinary treatment team meetings
 or consulting with clinical addiction professionals; and

(9) maintaining the highest level of professionalism and
 ethical responsibility.

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(b) The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

SECTION 22. IC 25-23.6-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. The ~~social worker, marriage and family therapist, and mental health counselor~~ **behavioral health** board is established.

SECTION 23. IC 25-23.6-2-2, AS AMENDED BY P.L.2-2007, SECTION 329, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The board consists of ~~nine (9)~~ **eleven (11)** members appointed by the governor for terms of three (3) years. The board must include the following:

(1) Two (2) marriage and family therapists who:

(A) have at least a master's degree in marriage and family therapy or a related field from an eligible postsecondary educational institution;

(B) are licensed under this chapter; and

(C) have five (5) years of experience in marriage and family therapy.

(2) One (1) social worker who:

(A) has at least a master's degree in social work from an eligible postsecondary educational institution accredited by the Council on Social Work Education;

(B) is licensed under this article; and

(C) has at least five (5) years of experience as a social worker.

(3) One (1) social services director of a hospital with a social work degree who has at least three (3) years of experience in a hospital setting.

(4) Two (2) mental health counselors who:

(A) have at least a master's degree in mental health counseling;

(B) are licensed under this article; and

(C) have at least five (5) years experience as a mental health counselor.

(5) Two (2) consumers who have never been credentialed under this article.

(6) One (1) physician licensed under IC 25-22.5 who has training in psychiatric medicine.

(7) **One (1) licensed addiction counselor who:**

(A) **is licensed under IC 25-23.6-10.5; and**

(B) **has at least five (5) years experience in addiction counseling.**

(8) **One (1) licensed clinical addiction counselor who:**

(A) **is licensed under IC 25-23.6-10.5; and**

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1 **(B) has at least five (5) years experience in addiction**
 2 **therapy.**

3 (b) Not more than ~~five (5)~~ **six (6)** members of the board may be
 4 from the same political party.

5 SECTION 24. IC 25-23.6-2-8 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) The board shall
 7 adopt rules under IC 4-22-2 establishing standards for the following:

8 (1) The competent practice of marriage and family therapy, social
 9 work, clinical social work, ~~and~~ mental health counseling,
 10 **addiction counseling, and addiction therapy.**

11 (2) The renewal of licenses issued under this article.

12 (3) Standards for the administration of this article.

13 (4) Continuing education requirements for an individual seeking
 14 renewal of licensure as a social worker, clinical social worker, or
 15 marriage and family therapist.

16 (5) The retention of patient records and reports by a counselor.

17 (6) The approval of continuing education providers, programs,
 18 courses, fees, and proof of course completion.

19 (b) The board shall establish fees under IC 25-1-8-2.

20 (c) The board shall do the following:

21 (1) Consider the qualifications of individuals who apply for a
 22 license under this article.

23 (2) Provide for examinations required under this article.

24 (3) Subject to IC 25-1-8-6, renew licenses under this article.

25 (4) Conduct proceedings under IC 25-1-9.

26 SECTION 25. IC 25-23.6-2-9.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2009]: **Sec. 9.5. (a) The addiction counselor**
 29 **and therapist section of the board is established. The section**
 30 **consists of the following:**

31 **(1) One (1) licensed addiction counselor member of the board.**

32 **(2) One (1) licensed clinical addiction counselor member of**
 33 **the board.**

34 **(3) Two (2) consumer members of the board.**

35 **(4) One (1) physician member of the board.**

36 **(b) Three (3) members of the addiction counselor and therapist**
 37 **section constitute a quorum.**

38 SECTION 26. IC 25-23.6-2-11 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. The social worker,
 40 marriage and family therapist, ~~and~~ mental health counselor, **and**
 41 **addiction counselor and therapist** sections of the board shall do the
 42 following:

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(1) Approve continuing education courses authorized under this article.

(2) Propose rules to the board concerning the practice of the profession regulated by each section.

(3) Other duties as directed by the board.

SECTION 27. IC 25-23.6-4-2, AS AMENDED BY P.L.2-2007, SECTION 331, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) This article may not be construed to limit the social work or clinical social work services performed by a person who does not use a title specified in this article and who is one (1) of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate.

(2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution accredited by the Council on Social Work Education, or a graduate accumulating experience required for licensure if:

(A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the student or graduate uses a title that contains the term "intern", "student", or "trainee".

(3) Not a resident of Indiana if the person performed social work in Indiana for not more than five (5) days in any one (1) month or more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for an organization performing charitable, religious, or educational functions, providing pastoral counseling, or other assistance.

(6) A person who provides school counseling. ~~or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.~~

(7) A governmental employee who remains in the same job classification or job family of that job classification.

(b) Nothing in this section prohibits a person referred to in

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subsection (a) from qualifying for licensure under this article.

SECTION 28. IC 25-23.6-10.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 10.1. Addiction Counselors and Therapists; Unlawful Practices; Penalty

Sec. 1. An individual may not:

(1) profess to be a licensed addiction counselor or licensed clinical addiction counselor;

(2) use the title:

(A) "licensed addiction counselor";

(B) "licensed clinical addiction counselor";

(C) "licensed clinical addiction therapist"; or

(D) "licensed addiction therapist";

(3) use any other title containing the words:

(A) "licensed addiction counselor";

(B) "licensed clinical addiction counselor"; or

(C) "licensed clinical addiction therapist";

(4) use any other:

(A) words;

(B) letters;

(C) abbreviations; or

(D) insignia;

indicating or implying that the individual is a licensed addiction counselor or licensed clinical addiction counselor; or

(5) practice as a licensed addiction counselor or licensed clinical addiction counselor for compensation;

unless the individual is licensed under this article.

Sec. 2. (a) This article may not be construed to limit licensed addiction counselor or licensed clinical addiction counselor services performed by a person who does not use a title specified in this article and who is any of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate, including a:

(A) social worker licensed under this article;

(B) clinical social worker licensed under this article;

(C) marriage and family therapist licensed under this article;

(D) mental health counselor licensed under this article;

(E) psychologist licensed under IC 25-33;

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- 1 (F) physician licensed under IC 25-22.5; or
 2 (G) nurse licensed under IC 25-23;
 3 and who has training and experience in addiction counseling.
 4 (2) A student, an intern, or a trainee pursuing a course of
 5 study in medicine or psychology or a course of study to gain
 6 licensure under this article in an accredited eligible
 7 postsecondary educational institution or training institution
 8 accredited by the Council for Accreditation of Counseling and
 9 Related Educational Programs or a graduate accumulating
 10 experience required for licensure if:
 11 (A) the services are performed under qualified supervision
 12 and constitute a part of the person's supervised course of
 13 study or other level of supervision; and
 14 (B) the student or graduate uses a title that contains the
 15 term "intern", "student", or "trainee".
 16 (3) A nonresident of Indiana if the person performs addiction
 17 counseling or therapy in Indiana for not more than:
 18 (A) five (5) days in any one (1) month; or
 19 (B) fifteen (15) days in any one (1) calendar year;
 20 and the person is authorized to perform such services under
 21 the laws of the state or country in which the person resides.
 22 (4) A rabbi, priest, Christian Science practitioner, minister, or
 23 other member of the clergy.
 24 (5) An employee or a volunteer for an organization
 25 performing charitable, religious, or educational functions or
 26 providing pastoral counseling or other assistance.
 27 (6) A person who provides school counseling.
 28 (7) A governmental employee who remains in the same job
 29 classification or job family of that job classification.
 30 (8) An employee of a court alcohol and drug program, a drug
 31 court, or a reentry court certified by the Indiana Judicial
 32 Center.
 33 (9) A probation officer.
 34 (b) This section does not prohibit a person referred to in
 35 subsection (a) from qualifying for licensure under this article.
 36 Sec. 3. A person who is not licensed under this article may
 37 provide or ensure the provision of addiction counseling services in:
 38 (1) a health facility licensed under IC 16-28;
 39 (2) a hospital licensed under IC 16-21 or IC 12-25;
 40 (3) a substance abuse facility certified by the division of
 41 mental health and addiction as an addiction services regular
 42 agency;

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1 (4) a home health agency licensed under IC 16-27-1;
 2 (5) a community health center;
 3 (6) an institution operated by the department of correction; or
 4 (7) a community mental health center under IC 12-21-2-3;
 5 if the person has met all of the requirements established by a
 6 department of mental health and addiction approved credentialing
 7 agency, and the person does not profess to be a licensed addiction
 8 therapist or a licensed addiction counselor under this article.

9 Sec. 4. An individual who is licensed as an addiction counselor
10 or clinical addiction counselor must:

- 11 (1) display the license or a clear copy of the license at each
12 location where the addiction counselor or clinical addiction
13 counselor regularly practices; and
14 (2) include the words "licensed addiction counselor" or
15 "licensed clinical addiction counselor" or the letters "LAC"
16 or "LAT" on all promotional materials, including:
17 (A) business cards;
18 (B) brochures;
19 (C) stationery;
20 (D) advertisements; and
21 (E) signs;

22 that name the individual.

23 Sec. 5. A licensed addiction counselor or licensed clinical
24 addiction counselor licensed under this article may provide factual
25 testimony but may not provide expert testimony.

26 Sec. 6. An individual who knowingly and intentionally violates
27 this chapter after July 1, 2010, commits a Class A misdemeanor.

28 SECTION 29. IC 25-23.6-10.5 IS ADDED TO THE INDIANA
29 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2009]:

31 **Chapter 10.5. Addiction Counselors; Clinical Addiction**
32 **Counselors; Certification; Examinations**

33 Sec. 1. An individual who applies for a license as an addiction
34 counselor must meet the following requirements:

- 35 (1) Furnish satisfactory evidence to the board that the
36 individual has:
37 (A) received a baccalaureate or higher degree in addiction
38 counseling or in a related area as determined by the board
39 from:
40 (i) an eligible postsecondary educational institution that
41 meets the requirements under section 3(a)(1) of this
42 chapter; or

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(ii) a foreign school that has a program of study that meets the requirements under section 3(a)(2) or 3(a)(3) of this chapter;

(B) completed the educational requirements under section 5 of this chapter; and

(C) completed the experience requirements under section 7 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor without endangering the public.

(4) Pass an addiction counselor examination provided by the board.

(5) Pay the fee established by the board.

Sec. 2. An individual who applies for a license as a clinical addiction counselor must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter;

(B) completed the educational requirements under section 6 of this chapter; and

(C) completed the experience requirements under section 8 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or

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jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor without endangering the public.

(4) Pass a clinical addiction counselor examination provided by the board.

(5) Pay the fee established by the board.

Sec. 3. (a) An applicant under section 1 of this chapter must have a baccalaureate or higher degree in addiction counseling or in a related area as determined by the board from an eligible postsecondary educational institution that meets the following requirements:

(1) If the institution is located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.

(3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:

(A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and

(B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(b) An applicant under section 1 of this chapter who has a degree from a program that did not emphasize addiction counseling may complete the course work requirement from an institution that is:

(1) a division of mental health and addiction approved credentialing agency; or

(2) recognized by the United States Department of Education.

Sec. 4. (a) An applicant under section 2 of this chapter must have a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the following requirements:

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(1) If the institution is located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.

(3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:

(A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and

(B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(b) An applicant under section 2 of this chapter who has a master's or doctor's degree from a program that did not emphasize addiction therapy may complete the course work requirement from an institution that is:

(1) accredited by the Council for Accreditation of Counseling and Related Educational Programs;

(2) recognized by the National Association of Alcohol and Drug Abuse Counselors;

(3) recognized by the International Certification and Reciprocity Consortium;

(4) recognized by the Council on Social Work Education; or

(5) recognized by the United States Department of Education.

Sec. 5. (a) An applicant under section 1 of this chapter must complete the following educational requirements:

(1) Except as provided in section 3 of this chapter, forty (40) semester hours or sixty (60) quarter hours of course work from an eligible postsecondary educational institution that includes the following content areas:

(A) Addictions theory.

(B) Psychoactive drugs.

(C) Addictions counseling skills.

(D) Theories of personality.

(E) Developmental psychology.

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(F) Abnormal psychology.

(G) Treatment planning.

(H) Cultural competency.

(I) Ethics and professional development.

(J) Family education.

(K) Areas of content as approved by the board.

(2) At least one (1) supervised practicum, internship, or field experience in an addiction counseling setting that requires the applicant to provide at least four hundred fifty (450) hours of addiction counseling services under the supervision of a qualified supervisor approved by the board. The requirement under this subdivision may be met by a supervised practice experience that takes place away from the institution of higher education but that is certified by an official of the eligible postsecondary educational institution as being equivalent to an undergraduate level practicum or internship program at an institution accredited by an accrediting agency approved by the:

(A) United States Department of Education Commission on Recognition of Postsecondary Education;

(B) Association of Universities and Colleges of Canada;

(C) Council on Social Work Education; or

(D) Council for Accreditation of Counseling and Related Educational Programs.

(b) The content areas under subsection (a)(1) may be combined into any one (1) college level course if the applicant can prove that the course work was devoted to each content area listed in subsection (a)(1).

Sec. 6. (a) An applicant under section 2 of this chapter must complete the following educational requirements:

(1) Except as provided in section 4(b) of this chapter, twenty-seven (27) semester hours or forty-one (41) quarter hours of graduate course work that must include graduate level course credits with material in at least the following content areas:

(A) Addiction counseling theories and techniques.

(B) Clinical problems.

(C) Psychopharmacology.

(D) Psychopathology.

(E) Clinical appraisal and assessment.

(F) Theory and practice of group addiction counseling.

(G) Counseling addicted family systems.

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- 1 (H) Multicultural counseling.
 2 (I) Research methods in addictions.
 3 (J) Ethics.
 4 (K) Family education.
 5 (L) Clinical supervision.
 6 (M) Areas of content as approved by the board.
 7 (2) At least one (1) graduate level course of two (2) semester
 8 hours or three (3) quarter hours in the following areas:
 9 (A) Legal, ethical, and professional standards issues in the
 10 practice of addiction counseling and therapy or an
 11 equivalent course approved by the board.
 12 (B) Appraisal and assessment for individual or
 13 interpersonal disorder or dysfunction.
 14 (3) Complete at least one (1) supervised clinical practicum,
 15 internship, or field experience in an addiction counseling
 16 setting that requires the applicant to provide nine hundred
 17 sixty (960) hours of addiction counseling services under the
 18 supervision of a qualified supervisor approved by the board.
 19 The requirements under this subdivision may be met by a
 20 supervised practice experience that takes place away from an
 21 institution of higher education but that is certified by an
 22 official of the eligible postsecondary educational institution as
 23 being equivalent to a graduate level practicum or internship
 24 program at an institution accredited by an accrediting agency
 25 approved by the:
 26 (A) United States Department of Education Commission on
 27 Recognition of Postsecondary Education;
 28 (B) Association of Universities and Colleges of Canada;
 29 (C) Council on Social Work Education; or
 30 (D) Council for Accreditation of Counseling and Related
 31 Educational Programs.
 32 (b) The content areas may be combined into any one (1)
 33 graduate level course if the applicant can prove that the course
 34 work was devoted to each content area.
 35 Sec. 7. (a) An applicant under section 1 of this chapter must
 36 have:
 37 (1) at least three (3) years of addiction counseling experience
 38 that must include at least two hundred (200) hours of
 39 supervision, one hundred (100) hours of which must be
 40 individual supervision and fifty (50) hours of which must be
 41 group supervision. The supervision required must be
 42 provided by a qualified supervisor, as determined and

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1 approved by the board; or

2 (2) a valid and current level II or higher or the equivalent
3 certification from a certifying body that is:

4 (A) a division of mental health and addiction approved
5 credentialing agency; and

6 (B) approved by the board.

7 (b) A doctoral internship may be applied toward the supervised
8 work experience requirement.

9 (c) Except as provided in subsection (d), the experience
10 requirement may be met by work performed at or away from the
11 premises of the supervising licensed addiction counselor.

12 (d) The work requirement may not be performed away from the
13 licensed addiction counselor's premises if:

14 (1) the work is the independent private practice of addiction
15 counseling; and

16 (2) the work is not performed at a place that has the
17 supervision of a licensed clinical addiction counselor or an
18 equivalent supervisor as determined by the board.

19 Sec. 8. (a) An applicant under section 2 of this chapter must
20 have:

21 (1) at least three (3) years of addiction therapy experience,
22 which must include at least two hundred (200) hours of
23 supervision, one hundred (100) hours of which must be
24 individual supervision and one hundred (100) hours of which
25 must be group supervision, by a qualified supervisor as
26 determined and approved by the board; or

27 (2) a valid and current:

28 (A) certification as a master addiction counselor issued by
29 the National Association of Alcohol and Drug Abuse
30 Counselors or the National Board for Certified
31 Counselors; or

32 (B) Level II or higher or the equivalent certification from
33 a certifying body that is a division of mental health and
34 addiction approved credentialing agency.

35 (b) A doctoral internship may be applied toward the supervised
36 work experience requirement.

37 (c) Except as provided in subsection (d), the experience
38 requirement may be met by work performed at or away from the
39 premises of the supervising licensed clinical addiction counselor.

40 (d) The work requirement may not be performed away from the
41 licensed clinical addiction counselor's premises if:

42 (1) the work is the independent private practice of addiction

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therapy; and

(2) the work is not performed at a place that has the supervision of a licensed clinical addiction counselor or an equivalent supervisor, as determined by the board.

Sec. 9. (a) An individual who satisfies the requirements of sections 4, 6, and 8 of this chapter may take the licensed clinical addiction counselor examination provided by the board.

(b) An individual who satisfies the requirements of sections 3, 5, and 7 of this chapter may take the licensed addiction counselor examination provided by the board.

Sec. 10. (a) The board may issue a temporary permit to allow an individual to profess to be a licensed addiction counselor or licensed clinical addiction counselor if the individual pays a fee established by the board and the individual:

(1) has a valid license or certificate to practice from another state and the individual has applied for a license from the board;

(2) is practicing in a state that does not license addiction counselors or therapists but is certified by a national association approved by the board and the individual has applied for a license from the board; or

(3) has been approved by the board to take the examination and has graduated from a school or program approved by the board and the individual has completed any experience requirement.

(b) A temporary permit issued under this section expires the earliest of:

(1) the date the individual holding the permit is issued a license under this article;

(2) the date the board disapproves the individual's license application; or

(3) one hundred eighty (180) days after the initial permit is issued.

(c) The board may renew a temporary permit if the individual holding the permit is scheduled to take the next examination and the individual:

(1) does not take the examination; and

(2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.

Sec. 11. (a) An individual who applies for an addiction counselor

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license under this article may be exempted by the board from the examination requirement under section 1 of this chapter if the individual:

(1) is licensed or certified as an addiction counselor in another state and has passed a licensing examination substantially equivalent to the licensing examination required under this article;

(2) has engaged in the practice of addiction counseling for at least three (3) of the previous five (5) years;

(3) has passed an examination pertaining to the addiction counseling laws and rules of Indiana; and

(4) has not committed any act and is not under investigation for any act that constitutes a violation of this article;

and is otherwise qualified under sections 1, 3, 5, and 7 of this chapter.

(b) An individual who applies for a clinical addiction counselor license under this article may be exempted by the board from the examination requirement under section 2 of this chapter if the individual:

(1) is licensed or certified as a clinical addiction counselor in another state and has passed a licensing examination substantially equivalent to the licensing examination required under this article;

(2) has passed an examination pertaining to the addiction therapy laws and rules of Indiana; and

(3) has not committed any act and is not under investigation for any act that constitutes a violation of this article;

and is otherwise qualified under sections 2, 4, 6, and 8 of this chapter.

SECTION 30. IC 31-32-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. The privileged communication between:

(1) a husband and wife;

(2) a health care provider and the health care provider's patient;

(3) a:

(A) certified social worker;

(B) certified clinical social worker; or

(C) certified marriage and family therapist;

(D) licensed addiction counselor; or

(E) licensed clinical addiction counselor.

and a client of any of the professionals described in clauses (A) through ~~(C)~~; (E);

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1 (4) a school counselor and a student; or

2 (5) a school psychologist and a student;

3 is not a ground for excluding evidence in any judicial proceeding
4 resulting from a report of a child who may be a victim of child abuse
5 or neglect or relating to the subject matter of the report or failing to
6 report as required by IC 31-33.

7 SECTION 31. [EFFECTIVE JULY 1, 2009] (a) The definitions in
8 IC 25-23.6-1, as amended by this act, apply throughout this
9 SECTION.

10 (b) Notwithstanding IC 25-23.6, as amended by this act, before
11 July 1, 2010, an individual may engage in the practice of licensed
12 addiction counseling and licensed clinical addiction counseling,
13 including the use of any other words, letters, abbreviations, or
14 insignia indicating or implying that the individual is a licensed
15 addiction counselor or licensed clinical addiction counselor,
16 without a license issued under IC 25-23.6, as amended by this act.

17 (c) Notwithstanding IC 25-23.6-2-2(7), as amended by this act,
18 before July 1, 2010, a licensed addiction counselor member of the
19 board is not required to be licensed under IC 25-23.6.

20 (d) Notwithstanding IC 25-23.6-2-2(8), as amended by this act,
21 before July 1, 2010, a licensed clinical addiction counselor member
22 of the board is not required to be licensed under IC 25-23.6.

23 (e) The board shall exempt an individual from the requirements
24 under IC 25-23.6, as amended by this act, and grant the individual
25 a clinical addiction counselor license if the individual meets the
26 following requirements:

27 (1) Holds, before July 1, 2010, a master's or doctor's degree in
28 a human service or behavioral science discipline from an
29 eligible postsecondary educational institution.

30 (2) Holds a valid level II or higher or the equivalent
31 certification from a division of mental health and addiction
32 approved credentialing agency.

33 (3) Files an initial application to the board before January 1,
34 2010.

35 (f) The board shall exempt an individual from the requirements
36 under IC 25-23.6, as amended by this act, and grant the individual
37 a clinical addiction counselor license if the individual meets the
38 following requirements:

39 (1) Holds, before July 1, 2010, a master's or doctor's degree in
40 a human services or behavioral science discipline from an
41 eligible postsecondary educational institution.

42 (2) Has current experience in addiction therapy.

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- 1 (3) Files an initial application with the board before January
- 2 1, 2010.
- 3 (4) Holds a license and is in good standing.
- 4 (g) The board shall exempt an individual from the requirements
- 5 under IC 25-23.6, as amended by this act, and grant the individual
- 6 an addiction counselor license if the individual meets the following
- 7 requirements:
- 8 (1) Holds a valid level II or higher or the equivalent
- 9 certification from a division of mental health and addiction
- 10 approved credentialing agency.
- 11 (2) Has at least ten (10) years of experience in addiction
- 12 counseling.
- 13 (3) Furnishes satisfactory evidence to the board that the
- 14 individual does not have a conviction for a crime that has a
- 15 direct bearing on the individual's ability to practice
- 16 competently.
- 17 (4) Files an initial application with the board before January
- 18 1, 2010.
- 19 (h) An individual licensed under subsection (g) may provide
- 20 services in private practice in consultation with other licensed
- 21 professionals as required by the individualized treatment plan.
- 22 (i) The governor shall appoint the following two (2) members of
- 23 the board under IC 25-23.6-2-2(7) and IC 25-23.6-2-2(8), both as
- 24 amended by this act, to terms beginning July 1, 2009, as follows:
- 25 (1) One (1) licensed addiction counselor to a term of one (1)
- 26 year.
- 27 (2) One (1) licensed clinical addiction counselor to a term of
- 28 two (2) years.
- 29 (j) This SECTION expires July 2, 2010.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 96, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 13, line 6, delete "abuse" and insert "**use**".

Page 13, line 27, delete "or an addiction" and insert "**or a clinical addiction counselor**".

Page 13, line 28, delete "therapist".

Page 13, line 36, delete "addiction" and insert "**clinical addiction counselor**".

Page 13, line 37, delete "therapist".

Page 13, line 37, delete "an addiction" and insert "**a clinical addiction counselor**".

Page 13, line 38, delete "therapist".

Page 14, line 20, delete "plan" and insert "**assist in the development of a plan individualized for**".

Page 14, line 22, delete "and evaluation;" and insert "**evaluation, and mental health therapy;**".

Page 14, line 29, after "individual" insert "**and group**".

Page 15, line 10, after "in" insert "**individualized**".

Page 15, line 23, after "for" insert "**individualized**".

Page 16, line 39, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 17, line 30, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 19, line 6, delete "addiction therapist;" and insert "**clinical addiction counselor;**".

Page 19, line 23, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 19, line 25, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 19, line 28, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 20, between lines 26 and 27, begin a new line block indented and insert:

"(8) An employee of a court alcohol and drug program, a drug court, or a reentry court certified by the Indiana Judicial Center.

(9) A probation officer."

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Page 20, line 29, delete "may use" and insert "**may**".

Page 20, delete line 30.

Page 20, line 31, delete "(1) provides or ensures provision" and insert "**provide or ensure the provision**".

Page 20, run in lines 29 through 31.

Page 20, line 32, delete "a".

Page 20, line 33, delete "(A)", begin a new line block indented and insert:

"(1) a".

Page 20, line 34, delete "(B)", begin a new line block indented and insert:

"(2) a".

Page 20, line 35, delete "(C)", begin a new line block indented and insert:

"(3) a".

Page 20, line 36, delete ";" and insert "**as an addiction services regular agency;**".

Page 20, line 37, delete "(D)", begin a new line block indented and insert:

"(4) a".

Page 20, line 38, delete "(E)", begin a new line block indented and insert:

"(5) a".

Page 20, line 38, delete "or".

Page 20, line 39, delete "(F)", begin a new line block indented and insert:

"(6) an institution operated by the department of correction;
or

(7) a".

Page 20, delete lines 40 through 42, begin a new line blocked left and insert:

"if the person has met all of the requirements established by a department of mental health and addiction approved credentialing agency, and the person does not profess to be a licensed addiction therapist or a licensed addiction counselor under this article."

Page 21, delete lines 1 through 6.

Page 21, line 8, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 21, line 10, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 21, line 13, delete "addiction therapist"" and insert "**clinical addiction counselor**".

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Page 21, line 21, after "or licensed" delete "addiction" and insert **"clinical addiction counselor"**.

Page 21, line 22, delete "therapist".

Page 21, line 29, delete "Addiction Therapists;" and insert **"Clinical Addiction Counselors;"**.

Page 22, line 19, delete "an addiction" and insert **"a clinical addiction counselor"**.

Page 22, line 20, delete "therapist".

Page 22, line 42, delete "an addiction therapist" and insert **"a clinical addiction counselor"**.

Page 23, line 2, delete "an addiction therapist" and insert **"a clinical addiction counselor"**.

Page 23, line 33, delete "accredited by the Council for Accreditation of Counseling" and insert **"a division of mental health and addiction approved credentialing agency; or"**.

Page 23, delete lines 34 through 39.

Page 23, line 40, delete "(5)" and insert **"(2)"**.

Page 25, line 12, delete "five hundred (500) direct client" and insert **"four hundred fifty (450)"**.

Page 25, line 13, delete "contact".

Page 26, line 19, delete "one thousand" and insert **"nine hundred sixty (960)"**.

Page 26, line 20, delete "(1,000) direct client contact".

Page 27, line 5, after "II" insert **"or higher or the equivalent"**.

Page 27, line 7, delete "a National Association of Alcohol and Drug Abuse" and insert **"a division of mental health and addiction approved credentialing agency; and"**.

Page 27, delete lines 8 through 9.

Page 27, line 21, after "licensed" insert **"clinical"**.

Page 27, line 36, after "II" insert **"or higher or the equivalent"**.

Page 27, line 36, after "is a" insert **"division of mental health and addiction approved credentialing agency."**

Page 27, delete lines 37 through 39.

Page 28, line 2, delete "addiction therapist." and insert **"clinical addiction counselor."**

Page 28, line 4, delete "addiction therapist's" and insert **"clinical addiction counselor's"**.

Page 28, line 8, delete "addiction therapist" and insert **"clinical addiction counselor"**.

Page 28, line 11, delete "addiction" and insert **"clinical addiction counselor"**.

Page 28, line 12, delete "therapist".

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Page 28, line 18, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 29, line 21, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 29, line 25, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 30, line 3, delete "addiction therapist." and insert "**clinical addiction counselor.**".

Page 30, line 17, delete "addiction therapy," and insert "**clinical addiction counseling,**".

Page 30, line 20, delete "addiction therapist," and insert "**clinical addiction counselor,**".

Page 30, line 26, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 30, line 30, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 30, line 35, delete "certification at the highest level offered by" and insert "**level II or higher or the equivalent certification from a division of mental health and addiction approved credentialing agency.**".

Page 30, delete lines 36 through 39.

Page 31, line 2, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 31, line 15, after "II" insert "**or higher or the equivalent**".

Page 31, line 15, delete "certifying body" and insert "**division of mental health and addiction approved credentialing agency.**".

Page 31, delete lines 16 through 20.

Page 31, line 21, after "(2)" insert "**Has at least ten (10) years of experience in addiction counseling.**

(3) Furnishes satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(4)".

Page 31, line 23, after "(h)" insert "**An individual licensed under subsection (g) may provide services in private practice in consultation with other licensed professionals as required by the individualized treatment plan.**

(i)".

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Page 31, line 28, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 31, line 30, delete "(i)" and insert "**(j)**".

and when so amended that said bill do pass.

(Reference is to SB 96 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 96 be amended to read as follows:

Page 19, delete line 13.

Page 19, line 14, delete "(D)" and insert "**(C)**".

Page 19, line 15, delete "(E)" and insert "**(D)**".

(Reference is to SB 96 as printed February 20, 2009.)

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